

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF:

**ALLIANCE DEFENSE FUND
15333 N. Pima Road, Suite 165
Scottsdale, Arizona 85260**

Respondent

)
) **Administrative Proceeding**
) **Number: C-06-0308**
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CONSENT ORDER

I.

The Business Regulation and Enforcement Division of the Mississippi Secretary of State's Office (hereinafter "Division") having the authority to administer and to provide for the enforcement of all provisions of the Mississippi Charitable Solicitations Act (hereinafter "Act") and Mississippi Charities Act Rules (hereinafter "Rules"), and Respondent do hereby enter into this Consent Order in resolution of the following allegations by the Division of violations of certain provisions of the Act:

1. Respondent is a "charitable organization" as defined in the Act. Miss. Code Ann. § 79-11-501(a)(1) (2001);
2. Respondent's registration lapsed on March 14, 2006, due to Respondent's failure to file the necessary registration renewal application;
3. On July 12, 2006, Respondent provided the Division with an incomplete registration renewal application;
4. Respondent failed to provide a notarized statement of solicitations as provided for in Mississippi Charities Act Rule 205(E);

5. Respondent has since furnished the required notarized statement of solicitations outlining the solicitation activity in which it engaged while unregistered in violation of Miss. Code Ann. § 79-11-503(6);
6. Respondent knowingly violated the provisions of Miss. Code Ann. § 79-11-503 (6) by continuing to solicit contributions in or from this state after the date such organization should have filed, but failed to file, a renewal registration application in accordance with the provisions of Miss. Code Ann. § 79-11-501 through § 79-11-529.

II.

Respondent, under the terms of this Consent Order and solely for the purpose of resolving the foregoing allegations, stipulates without a hearing to the matters set forth above in Paragraph I and hereby consents to the issuance of this Consent Order and further consents to and agrees to the undertakings contained herein, with no formal administrative hearing and determination of wrongdoing. Furthermore, the undersigned agent for the Respondent acknowledges that she/he has been lawfully vested with the authority to enter into this Consent Order on behalf of the Respondent.

III.

THEREFORE, in consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree and stipulate as follows:

1. Respondent stipulates to the jurisdiction of the Division as to all matters contained herein under the authority of the Act and Rules and acknowledges that the issuance of this Consent Order is solely for the purpose of resolving the matters set forth herein.
2. The Division shall impose a penalty upon the Respondent in the amount of Thirteen Thousand Three Hundred Eighty-three Dollars (\$13,383.00). Respondent shall remit payment to the Division, payable to the "Mississippi Secretary of State" upon execution of this Order.
3. Respondent hereby consents and agrees to a One (1) year suspension in its registration with the Division should it allow its registration to lapse by failing

to file a complete renewal registration application prior to the expiration of its present registration.

4. This Consent Order is in resolution of the matters contained herein. As a result of this Consent Order, the matters contained herein cannot be used as a basis for action by the Division except in determining any penalty as may be imposed by the Division for any future violations of the Act committed by the Respondent and as set forth below.
5. Respondent agrees that it will comply with the provisions of the Mississippi Charitable Solicitations Act and Mississippi Charities Act Rules as currently in effect or as may be subsequently amended.

IV.

In the event Respondent fails or neglects to comply with any of the terms, stipulations or undertakings set forth in this Consent Order, the Division may, without notice to the Respondent, unilaterally rescind this Order and institute any legal or administrative proceedings it deems appropriate including, but not limited to, proceedings to address the matters set forth herein.

ERIC CLARK
Secretary of State

By:


JAMES O. NELSON, II
Assistant Secretary of State

Date:

9/13/06

ALLIANCE DEFENSE FUND

By:


Sign Name

Print Name:

MARK FEDDERN

Title:

CFO

Date:

10/5/06

(rec'd 10/3/06)

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